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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US PATENT & TRADEMARK
OFFICE

In re Application of:

Aharoni et al.

Serial No.: 09/857,518

Filed: December 12, 2001

For: FRUIT FLAVOUR RELATED GENES
AND USE THEREOF

Confirmation No.: 5379

Examiner: T. Saidha

Group Art Unit: 1652

Attorney Docket No.: 2183-4916US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 1, 2005

Date

Betty Vowles

Signature

Betty Vowles

Name (Type/Print)

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On July 26, 2005, we transmitted by Express Mail Label No. EL994843413US an Amendment which was accompanied by a Notice of Appeal and a Petition for Extension of Time as well as checks in the amount of \$1,020 and \$500. On July 27, 2005, we faxed a Courtesy Copy of the same documents to the Examiner. Those amounts were then taken from our deposit account (Deposit Account No. 20-1469). We, therefore, request a refund to our deposit account of \$1,020 and \$500.

Best Available Copy

Serial No. 09/857,518

Respectfully submitted,



Allen C. Turner
Registration No. 33,041
Attorney for Applicant(s)
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P.O. Box 2550
Salt Lake City, Utah 84110-2550
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Date: August 1, 2005

ACT/bv

Document in ProLaw

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07/27/2005 08:45 8015319168

JUL 27 2005

TRASKBRITT, P.C.

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PTO/SB/22 (10-00)

Approved for use through 10/31/2002. GMB 065-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.138(a)		Docket Number (Optional) 2163-4916US
In re Application of Aharoni et al.		
Application Number 09/857,518		Filed December 12, 2001
For FRUIT FLAVOUR RELATED GENES AND USE THEREOF		
Group Art Unit 1652	Examiner R. Kallis	

This is a request under the provisions of 37 CFR 1.138(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

- | | |
|---|------------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ _____ |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ _____ |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$1,020.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ _____ |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____. | |
| <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | |
| <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. | |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1469. | |

I have enclosed a duplicate copy of this sheet.

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/88).

attorney or agent of record.

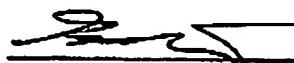
attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

July 26, 2005

Date



Signature

Bretton L. Crockett Reg. No. 44,632

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

CERTIFICATE OF MAILING

Express Mail Label Number: EL994843413US

Date of Deposit: July 26, 2005

Person Making Deposit: Steve Wong

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.

PAGE 21/21 * RCVD AT 7/27/2005 10:50:34 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/0 * DMS:3729306 * CSD:8015319168 * DURATION (mm:ss):06:08

07/26/2005 SDENB01 00000006 201469 09857518
02 FC:1253 1020.00 DA
07/26/2005 SDENB01 00000005 201469 09857518
02 FC:1253 1020.00 CR
Adjustment date: 09/28/2005 SDIRETAL
07/26/2005 SDENB01 00000005 201469 09857518
02 FC:1253 1020.00 CR

JUL 27 2005

PTO-SB-01 (02-01)

Approved for use through 10/31/2002. GMB 0851-0201
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 2183-4916US
CERTIFICATE OF MAILING Express Mail Label Number: EL994943413US Date of Deposit: July 26, 2005 Person Making Deposit: Steve Worts		
In re Application of Aharoni et al. Application Number Filed 09/657,518 December 12, 2001 For FRUIT FLAVOUR RELATED GENES AND USE THEREOF Group Art Unit Examiner 1622 R. Kallis		
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.		
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____. <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Deposit Account No. 20-1469. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a).		
 Bretton L. Crockett Reg. No. 44,632 Typed or printed name July 26, 2005 Date		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input checked="" type="checkbox"/> *Total of 1 forms are submitted.		
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		

Adjustment date: 09/28/2005 SDIRETAA
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